

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

CORDIS CORPORATION,  
  
Plaintiff,  
  
v.  
  
BOSTON SCIENTIFIC CORPORATION,  
and SCIMED LIFE SYSTEMS, INC.,  
  
Defendants.

## BSC'S MOTION FOR ENTRY OF JUDGMENT

Defendants Boston Scientific Corporation and Boston Scientific Scimed, Inc. (formerly Scimed Life Systems, Inc.) (collectively “BSC”) hereby respectfully move for entry of judgment against plaintiff Cordis Corporation (“Cordis”).


The grounds for the motion are the jury verdict, dated December 11, 2000 (D.I. 182), and the Court's Memorandum Opinion and Order, dated March 28, 2002 (D.I. 255; D.I. 256).

Counsel for BSC certifies pursuant to D. Del. Local Rule 7.1.1 that they have conferred with counsel for Cordis about the motion and the judgment but have been unable to reach agreement at this time.

For the Court's convenience, a proposed judgment is attached hereto.

Respectfully submitted,

April 14, 2005

By:   
Josy W. Ingersoll (I.D. #1088)  
Karen E. Keller (I.D. #4489)  
YOUNG CONAWAY STARGATT &  
TAYLOR, LLP  
The Brandywine Building  
1000 West Street, 17th Floor  
Wilmington, Delaware 19899-0391  
(302) 571-6600

Attorneys for Defendants  
BOSTON SCIENTIFIC CORPORATION,  
and BOSTON SCIENTIFIC SCIMED, INC.  
(formerly SCIMED LIFE SYSTEMS, INC.)

Of Counsel:

George E. Badenoch  
Charles R. Brainard  
Walter E. Hanley, Jr.  
Mark A. Chapman  
Huiya Wu  
KENYON & KENYON  
One Broadway  
New York, New York 10004  
(212) 425-7200

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Defendants.

## JUDGMENT IN A CIVIL CASE

Pursuant to the jury verdict, dated December 11, 2000 (D.I. 182), and the Court's Memorandum Opinion and Order, dated March 28, 2002 (D.I. 255; D.I. 256):

IT IS ORDERED AND ADJUDGED that judgment be and is hereby entered in favor of Boston Scientific Corporation and Boston Scientific Scimed, Inc. (formerly Scimed Life Systems, Inc.) (collectively “BSC”) and against Cordis Corporation (“Cordis”) that United States Patent No. 5,643,312 (the “312 patent”) and United States Patent No. 5,879,370 (the “370 patent”) are unenforceable due to inequitable conduct;

IT IS FURTHER ORDERED AND ADJUDGED that judgment be and is hereby entered in favor of BSC and against Cordis that BSC does not infringe, induce infringement of, or contributorily infringe claim 21 of the '312 patent and claims 25 and 26 of the '370 patent;

IT IS FURTHER ORDERED AND ADJUDGED that judgment be and is hereby entered in favor of BSC and against Cordis that claim 26 of the '312 patent is invalid;

IT IS FURTHER ORDERED AND ADJUDGED that judgment be and is hereby entered in favor of Cordis and against BSC that BSC has not proven that claim 21 of the '312 patent and claim 25 of the '370 patent are invalid;

IT IS FURTHER ORDERED AND ADJUDGED that Cordis's complaint be and is hereby dismissed with prejudice;

IT IS FURTHER ORDERED AND ADJUDGED that, pursuant to Fed. R. Civ. P. 54(d)(1) and D. Del. L.R. 54.1, Cordis shall pay BSC its costs incurred in defending Cordis' claims based on the '312 and '370 patents.

Dated: \_\_\_\_\_, 2005

\_\_\_\_\_  
United States District Judge

\_\_\_\_\_  
(By) Deputy Clerk

**CERTIFICATE OF SERVICE**

I, Karen E. Keller, Esquire, hereby certify that on April 14, 2005, I caused to be electronically filed a true and correct copy of the foregoing document with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following counsel of record:


Steven J. Balick Esquire  
Ashby & Geddes  
222 Delaware Avenue  
P.O. Box 1150  
Wilmington, DE 19899

I further certify that on April 14, 2005, I caused a copy of the foregoing document to be served by hand delivery on the above-listed counsel of record and on the following non-registered participants in the manner indicated:

**BY FEDERAL EXPRESS**

Michael J. Timmons, Esquire  
Patterson, Belknap, Webb & Tyler, LLP  
1133 Avenue of the Americas  
20<sup>th</sup> Floor  
New York, NY 10036

YOUNG CONAWAY STARGATT & TAYLOR, LLP



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Karen E. Keller (No. 4489)  
The Brandywine Building  
1000 West Street, 17th Floor  
Wilmington, Delaware 19801  
(302) 571-6600  
kkeller@ycst.com

Attorneys for Boston Scientific Corporation  
and Scimed Life Systems, Inc.